

Docket No.: PZ045P1D1

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Fiscella et al.

Application No.: 10/733,368

Confirmation No.: 2585

Filed: December 12, 2003

Art Unit: 1653

For: Antibodies Against HCE3C63 Polypeptide (As
Amended Herein)

Examiner: H. A. Robinson

INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Agent for Applicants hereby directs the Examiner's attention to references AA-AR listed on the attached Form PTO/SB/08. A copy of each of reference(s) AA-AR is enclosed.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed as indicating that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any

patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

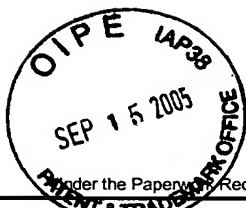
Please charge any additional fees due, or credit any overpayment, to our Deposit Account No. 08-3425. If a fee is required for an extension of time under 37 C.F.R. § 1.136, such an extension is requested and the appropriate fee should also be charged to our Deposit Account.

Dated: 9/15/05

Respectfully submitted,

By Doyle A. Siever
Doyle A. Siever

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Intellectual Property Dept.
14200 Shady Grove Road
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PTO/SB/08a/b (07-05)

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Substitute for form 1449A/B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

| | |
|------------------------|------------------------|
| Application Number | 10/733,368-Conf. #2585 |
| Filing Date | December 12, 2003 |
| First Named Inventor | Michele Fiscella |
| Art Unit | 1653 |
| Examiner Name | H. A. Robinson |
| Attorney Docket Number | PZ045P1D1 |

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number Number-Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|---|--------------------------------|--|---|
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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|--------------------|-----------------------|--|--------------------------------|--|---|----------------|
| | AA | DE-3,933,850 A1 | 04-18-1991 | Schering AG | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|-------------------|-----------------------|---|----------------|
| | AB | Database EMBL, Accession No. M55251, HARTMANN, et al., "Dog glycoprotein 80 (gp80) mRNA, complete cds." (July 6, 1991) | |
| | AC | Database EMBL, Accession No. M84639, DIEMER, et al., "Pig complement cytolysis inhibitor mRNA, complete cds." (February 3, 1992) | |
| | AD | Database EMBL, Accession No. X14723, KIRSZBAUM, et al., "Human SP-40, 40 mRNA for complement-associated protein SP-40, 40 alpha-1 and beta-1 chain." (April 14, 1989) | |
| | AE | DIEMER, et al., "Expression of porcine complement cytolysis inhibitor mRNA in cultured aortic smooth muscle cells," <i>The Journal of Biological Chemistry</i> , 267:5257-5264 (March 15, 1992) | |
| | AF | GenBank Accession No. U72943, PARK, et al., "Expression of novel gene mapped on chromosome 1q25" (August 24, 1999) | |
| | AG | GenBank Accession No. U64597, PARK, et al., "Expression of novel gene mapped on chromosome 7q22" (January 7, 1999) | |
| | AH | GenBank Accession No. R61404, HILLIER, et al., "The WashU-Merck EST Project" (May 24, 1995) | |
| | AI | GenBank Accession No. A1934620, NCI/NINDS-CGAP, "National Cancer Institute/National Institution of Neurological Disorders and Stroke Brain Tumor Genome Anatomy Project (CGAP/BTGAP), Tumor Gene Index" (March 8, 2000) | |
| | AJ | GenBank Accession No. R52598, HILLIER, et al., "The WashU-Merck EST Project: (May 18, 1995) | |
| | AK | GenBank Accession No. R61362, HILLIER, et al., "The WashU-Merck EST Project" (May 24, 1995) | |
| | AL | GenBank Accession No. R18898, HILLIER, et al., "The WashU-Merck EST Project" (April 14, 1995) | |
| | AM | HARTMANN, et al., "Molecular cloning of gp 80, a glycoprotein complex secreted by kidney cells <i>in vitro</i> and <i>in vivo</i> ," <i>The Journal of Biological Chemistry</i> , 266(15):9924-9931 (May 25, 1991) | |
| | AN | JACOBS, et al., "A genetic selection for isolating cDNAs encoding secreted proteins," <i>Gene</i> , 198:289-296 (October 1, 1997) | |

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|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|



PTO/SB/08a/b (07-05)

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| Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 10/733,368-Conf. #2585 |
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| | | | | First Named Inventor | Michele Fiscella |
| | | | | Art Unit | 1653 |
| | | | | Examiner Name | H. A. Robinson |
| Sheet | 2 | of | 2 | Attorney Docket Number | PZ045P1D1 |

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| | AO | KIRSZBAUM, et al., "Molecular cloning and characterization of the novel, human complement-associated protein, SP-40-40: a link between the complement and reproductive systems," <i>EMBO J</i> , 8(3):711-718 (1989) | |
| | AP | KLEIN, et al., "Selection for genes encoding secreted proteins and receptors," <i>Proc. Natl. Acad. Sci. USA</i> , 93:7108-7113 (July 1996) | |
| | AQ | HABUCHI, et al., "Hypermethylation at 9q32-33 tumor suppressor region is age-related in normal urothelium and an early and frequent alteration in bladder cancer," <i>Oncogene</i> , 20:531-537 (2001) | |
| | AR | NISHIYAMA, et al., "Negative regulation of G ₁ /S transition by the candidate bladder tumour suppressor gene <i>DBCCR1</i> ," <i>Oncogene</i> , 20:2956-2964 (2001) | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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| Examiner Signature | | Date Considered | |
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